

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN BILL TASH**, on March 14, 2003 at 3:14 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bill Tash, Chairman (R)
Sen. Aubyn Curtiss, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Gregory D. Barkus (R)
Sen. Jon Ellingson (D)
Sen. Rick Laible (R)
Sen. Bea McCarthy (D)
Sen. Dan McGee (R)
Sen. Gary L. Perry (R)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Ken Toole (D)

Members Excused: Sen. Bea McCarthy (D)

Members Absent: None.

Staff Present: Krista Lee Evans, Legislative Branch
Roberta Opel, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HB 436, HB 368, HB 700 3/14/2003,
Executive Action: HB 436, HB 368, HB 700, HB 303
HJ 4

HEARING ON HB 436 (2nd hearing)

Proponents' Testimony: None

Opponents' Testimony: None

Questions from Committee Members and Responses: None

EXECUTIVE ACTION ON HB 436

3:22pm Motion: Motion by SEN. BILL TASH HB 436 BE CONCURRED IN carried 10-2 with SENATORS JON ELLINGSON and KEN TOOLE voting no.

HEARING ON HB 368

Opening Statement by Sponsor: REP. RON DEVLIN, HD 3, Terry, presented HB 368 to the committee; revise petroleum tank release compensation board laws.

Proponents' Testimony:

3:25pm Ronna Christman, Petroleum Marketer's and C-Stores
3:31pm Stuart Blondell, Integrated Geoscience
3:32pm Lee Bruner, MT. Petroleum Marketer's Association
3:33pm Gregg Cross, member of Petroleum Tank Release Board
3:36pm Earl Griffith, geologist, Tetra Tech, Inc.

Opponents' Testimony: None

Questions from Committee Members and Responses:

3:37pm Begin
3:41pm End
3 min Elapsed time

Closing by Sponsor:

3:41pm REP. DEVLIN closed the hearing on HB 368.

EXECUTIVE ACTION ON HB 368

Motion/Vote: SEN. AUBYN CURTISS moved HB 368 BE CONCURRED IN. Motion carried unanimously.

HEARING ON HB 700

Opening Statement by Sponsor: REP. JOHN BRUEGGEMAN, HD 74,
Polson; to revise environmental laws.

Proponents' Testimony:

3:48pm Don Quander, Smurfit-Stone Container
3:48pm Cary Hegreberg, Montana Contractors' Association
3:59pm Ron Holmes, Lewistown
4:05pm Michael Kakuk, on behalf of MT. Contractor's Association
4:05pm Russ Ritter, representing Montana Resources and Montanans
for Responsible Energy Development (MRED) **EXHIBIT (nas54a01)**
4:11pm Gail Abercrombie, MT. Petroleum Association
4:11pm Patrick Montalban, Northern MT. Oil and Gas Producers
4:12pm Brad Griffin, Flathead Business and Industry Association
NOTE: Tom Figarelle, representing Forward, MT., submitted
written testimony **EXHIBIT (nas54a02)**

Opponents' Testimony:

4:12pm Kris Thomas, Montanans Against Toxic Burning
4:16pm Ann Hedges, Montana Environmental Information Center
(MEIC) **EXHIBIT (nas54a03)** and **EXHIBIT (nas54a04)**
4:23pm Jeff Barber, MEIC
4:27pm Julia Page, on behalf of Northern Plains Resource Council
(NPRC) **EXHIBIT (nas54a05)**
4:32pm Joanna Bernard, Great Falls rancher
4:32pm Ron Mueller, on behalf of MT. Sierra Club
4:33pm Derrick Oltman, Missoula
4:33pm Richard Mettler, Missoula
4:33pm Neva Hassman, Missoula
4:33pm Aly Junkel, Missoula
4:34pm Angela Farr, Missoula
4:34pm Joshua Bernham, Missoula

Informational Witnesses and Testimony:

4:34pm Steve Welch, MT. Dept. of Environmental Quality (EQC)
4:35th John North, legal counsel, EQC
4:38pm Mike Barrett, Helena **EXHIBIT (nas54a06)**

Questions from Committee Members and Responses:

4:43pm Begin
5:31pm End
13 min Elapsed time

Closing by Sponsor:

5:31pm **SEN. BRUEGGEMAN** closed the hearing on HB 700.

EXECUTIVE ACTION ON HB 700

Motion: **SEN. LAIBLE** moved HB 700 BE CONCURRED IN.

Discussion:

5:35pm Begin

5:36pm End

1 min Elapsed time

EXECUTIVE ACTION ON HB 303

Motion: **SEN. DAN MCGEE** moved HB 303 BE CONCURRED IN.

Discussion:

5:36pm Begin

5:37pm End

1 min Elapsed time

Motion/Vote: **SEN. MCGEE** moved AMENDMENT HB030301.ak1

EXHIBIT(nas54a07)

Motion carried unanimously.

Motion: **SEN. MCGEE** moved HB 303 BE CONCURRED IN AS AMENDED.

Discussion:

5:38pm Begin

5:45pm End

8 min Elapsed time

Vote: Motion HB 303 BE CONCURRED IN AS AMENDED carried with
SENATORS JON ELLINGSON and KEN TOOLE voting no.

EXECUTIVE ACTION ON HJ 4

Motion: **SEN. GARY PERRY** moved HJ 4 DO PASS AS AMENDED.

Discussion:

5:47pm Begin

5:53pm End

3 min Elapsed time

Motion/Vote: SEN. BILL TASH moved AMENDMENT HJ000402.akl.
EXHIBIT(nas54a08) Motion carried unanimously.

Motion: Motion by SEN. TASH HJ 4 BE CONCURRED IN AS AMENDED.

Motion: SEN. RICK LAIBLE moved AMENDMENT
HJ000401.akl.**EXHIBIT**(nas54a09)

Substitute Motion: Substitute Motion by SEN. LAIBLE to exclude
all language in his proposed amendment except Subsection #7.

Discussion:

5:55pm Begin
5:57pm End
2 min Elapsed time

Motion: SEN. SHERM ANDERSON moved a conceptual amendment
regarding type of fuels and inserting the word "timber" after the
word "state."

Discussion:

5:58pm Begin
5:59pm End
1 min Elapsed time

Discussion:

6:00pm Begin
6:02pm End
2 min Elapsed time

Vote: Motion carried unanimously.

Motion/Vote: SEN. GLENN ROUSH moved a conceptual amendment to
the bill. Motion carried unanimously.

Motion: SEN. MCGEE moved HJ4 AS AMENDED AS AMENDED AS AMENDED.
Motion carried unanimously.

ADJOURNMENT

Adjournment: 6:10 P.M.

SEN. BILL TASH, Chairman

ROBERTA OPEL, Secretary

BT/RO

EXHIBIT (nas54aad)